

RESPONSE TO COUNCIL QUESTIONS RE: 2/7/2023 CITY COUNCIL AGENDA

Agenda Item #: 1.C

Title: Award of Contract to Van Dyk Recycling Solutions for SMaRT Station® Source Separated Organics Handling and Processing System Upgrade (F22-156)

Council Question: One of the objectives is “Reducing the time needed to unload material, and the need to accept three commercial truckloads (36 tons) without having to wait for the processing machine. Each truck needs to be able to unload in ten minutes or less.” Does the contract also cover the cost of possibly purchasing new trucks, depending upon the unloading solution?

Staff Response: No. This grant scope is restricted to equipment that will be installed at the SMaRT Station.

Council Question: This is funded with a \$3M State Grant. Are there additional items that the grant can cover, since this contract is less than the State Grant value?

Staff Response: Yes, remaining funds (~ \$300k) will be used towards the purchase of a slow-moving shredder/bag opener for the solid waste(garbage) processing line. The cost of the shredder is \$1.5 Million, with the remaining funding coming from the SMaRT Station NextGen project. This will be awarded through a separate contract. Currently, 40-50% of the garbage bags are not sorted because they are unopened. This equipment will open the bags and liberate the organics that are in them. This is anticipated to further increase our organics diversion by 10-12%.

Agenda Item #: 1.D

Title: Reject All Bids Received for the Community Center Renovations for the Department of Public Safety (PW23-09)

Council Question: What is the cost of relocating IA office to City facilities on Kifer?

Staff Response: Costs to relocate the IA office to Kifer Road facility are minimal. Although the hard costs have not yet been tallied, it should be less than \$10,000.

Council Question: I assume that IA needs to be a separate location for the Public Safety Building/Addition. I was under the impression that all Sunnyvale Office Complex Staff were going to be located in the new City Hall (or DPS addition). How many Staff and what are the size requirements for IA?

Staff Response: In 2017, DPS conducted a comprehensive modernization of its Internal Affairs (IA) process, utilizing a consultant to provide recommendations on policy and process improvements. The final report included a recommendation that DPS have an offsite office for IA, creating a space where confidential interviews could take place with both DPS personnel and complainants.

The space requirements for an offsite office are minimal: it need only be sufficient for one IA Lieutenant to interview one person.

For the past few years, DPS has maintained a small office space at Sunnyvale Office Center as the IA offsite. Due to the Civic Center project, that offsite location must be moved. DPS has successfully identified a City facility (located on Kifer Road) that meets the requirements for an IA offsite.

Council Question: Doesn't Human Resources have the same security issues that are being proposed for the change to the Art & Craft Center for IA?

Staff Response: Human Resources does have a need for security. In the new City Hall, there will be two exits out of the HR department. Medium conference rooms within the department also have a secondary exit door. All access to the HR staff areas will be cardkey access only.

Council Question: Are there other Staff from the SOC that aren't going to City Hall or the DPS building?

Staff Response: ESD has two positions whose primary job functions are at the landfills surrounding the WPCP, will not be moving into City Hall. A space for these two staff will be provided for at SMaRT Station. Two zero waste program staff previously at the SMaRT Station have already relocated to SOC and will now be moving to City Hall. Additionally, one administrative staff currently at the SMaRT Station will be moving to the City Hall.

Agenda Item #: 3

Title: Consider Permanent Closure of the 100 Block of South Murphy Avenue (Study Issue), Adopt a Resolution of Intent to Establish a Pedestrian Mall, Adopt a Resolution Directing the City Manager to Temporarily Close the 100 Block of South Murphy Avenue until December 31, 2023, through the Issuance of a Special Event Permit, and Update Council Policy 1.1.10 (Use of the Public Sidewalk and Street of the 100 Block of South Murphy Avenue)

Council Question: In the Survey Summary, 76.3% (2118) of those took the survey think that the businesses should not have to pay extra to use the public street. Therefore, if the City instead of the businesses paid for the Storm Drain Covers (need 9) \$18,000 and Accessibility Improvements \$92,000 (that all Total \$120,000) then where might the funding come from?

Staff Response: The \$18,000 for storm drains and \$92,000 for accessibility improvements were high-level estimates presented to Council at a May 24, 2022 Council Study Session. Those estimates have changed, and as per the staff report, staff is recommending that accessibility and storm drain improvements be funded using funds from the City's Community Benefits Fund.

Council Question: Similarly, if the City instead of the businesses paid for all or part of the Street Permit Fee \$453, Sidewalk Maintenance \$1210, and Street Maintenance (+storm drains) \$1400, then where might the funding come from?

Staff Response: Sidewalk and street maintenance is being performed by Public Works staff and funded from the General Fund. At the 12/13/2022 Council meeting, Council allocated \$100,000 from

the General Fund to the Public Works Department to keep the downtown area clean and safe for the public due to the overwhelming impact of crowds on the downtown sidewalks and plazas.

Council Question: Could the Street Permit Fee \$453, Sidewalk Maintenance \$1210, and Street Maintenance (+storm drains) \$1400 cost be reduced if the outdoor eating was only done for part of the year such as summer and spring? When the weather is warmer are people more likely to be eating outside?

Staff Response: These high-level estimates were presented to Council early in the Study. Short answer is probably not. The street and sidewalks need to be maintained to a certain standard and opening and closing the street would require additional staff resources that would keep the costs the same or potentially increase.

Council Question: Who would pay for the consistency (furniture, umbrellas, etc.) and how was it determined that there was a need for this?

Staff Response: Businesses are responsible for providing and paying for their outdoor equipment. The City applies conditions of approval on the type of equipment that would be allowed. Council Policy 1.1.10—Use of Public Sidewalk on the 100 Block of South Murphy Avenue, Section C.3 is proposing new criteria for the type of furniture that will be allowed. Updated furniture requirements were developed based on feedback from the Sunnyvale Downtown Association.

Council Question: Why do businesses want current closure until 6/30/2023, and why is the decision for Permanent Closure of the 100 Block of South Murphy Avenue being delayed to that timeframe?

Staff Response: The 6/30/2023 date is from the May 24, 2022 Council Study Session. Businesses asked staff to keep the street closed while staff completed the Study Issue. Now that the Study Issue is complete, staff is recommending that the City keep the street closed until December 31, 2023, via a Special Event Permit issued to the City while the staff designs the accessibility improvements and brings the project to Council for approval.

Council Question: Staff is recommending paying for the accessibility improvements from the Community Benefits Fund. What is the current total of that fund?

Staff Response: The current balance in the Community Benefits Fund is approximately \$29.5M. However, not all this funding is provided as “flexible” community benefits, some is restricted through agreement to various specific purposes (e.g. transportation improvements). The Community Benefits Fund has enough “flexible” funds to pay for the accessibility improvements needed on Murphy Avenue. Staff will be presenting a summary of the Community Benefits Fund in the Recommended Budget, which will include a more detailed breakdown on the use of the various sources of funds.

Council Question: In their letter, SDA was concerned about on-going maintenance costs, and how that would burden the businesses. When would Council see the proposed breakdown of maintenance and any new fees?

Staff Response: Staff will ask Council to consider these fees as part of the Master Fee Schedule adoption.

Council Question: There were many issues when the Murphy Avenue Improvements were implemented a decade ago. Does Staff have an implementation effort timeline (months?) for the three ADA compliance options (and how that might affect downtown businesses)?

Staff Response: Below are the estimated time frames for each option:

- Option 1—Construct ramps at each restaurant—Design and Construction could take about 1 year.
- Option 2—Raise the street to remove curbs between street and sidewalk—Design and Construction would take about 2 years.
- Option 3—Regrade existing parking bays—Could take up to 18 months for Design and Construction.

Agenda Item #: 4

Title: Update on the Temporary Eastbound Tasman Lane Closure and Consideration to Extend the Closure Duration

Council Question: Do we have any data on travel time impact on east bound Tasman, for example, delays at the signal or more vehicles stopped at the signals?

Staff Response: From staff's visual observations and inferences from the data collected, travel time and vehicular queues are currently unaffected by the temporary lane closure. The traffic signal at Tasman Drive at Vienna Avenue is still operating on a free/on-demand mode with vehicles not having to wait for multiple cycles to cross the intersection. Eastbound vehicular traffic is still able to operate at uncongested speeds around the speed limit.

Council Question: Could Temporary Eastbound Tasman Lane Closure be extended to the time when the related study issue (DPW 21-03 TITLE Pedestrian and Bicycle Facility Installation on Tasman Drive from Fair Oaks Avenue to Lawrence Expressway) is completed instead of ending it on June 30, 2023? What is the benefit and what is the drawback of Temporary Eastbound Tasman Lane Closure being extended to the time when the related study issue (DPW 21-03 TITLE Pedestrian and Bicycle Facility Installation on Tasman Drive from Fair Oaks Avenue to Lawrence Expressway) is completed?

Staff Response: The temporary eastbound lane closure can be extended for a longer duration than until June if City Council desires. Staff will need approximately \$1,300 per month for the duration in order to pay for the rental of the ADA ramp and maintenance of the closure. Staff is anticipating that the study issue DPW 21-03 will be completed by December 2024 which will be an additional 18

months or \$23,400 in funding needed. It is important to note that if City Council does decide to implement a yet to be determined concept that installs a sidewalk and bike lane on Tasman Drive, a new Capital Improvement Project will need to be proposed and funded in order to actually implement. The completion of the study issue will not result immediately in physical infrastructure for the public, so the temporary lane closure would need an additional extension and funding at that point. If the temporary lane closure is extended further than June 2023, staff would encourage City Council to retain the previously approved triggers for staff to remove the temporary lane closure if queues spilled back to the Fair Oaks/Tasman intersection impacting safety, peak hour volumes increased to or above 720 vehicles per hour or the average daily traffic volumes increased to or above 2015 levels as any of those triggers would show that transportation conditions would necessitate the 2nd vehicular lane. Pedestrian and bicycle counts at the end of November showed that users have decreased from October numbers but that would be expected due to the change in weather patterns combined with earlier and longer nighttime hours associated with the winter season.

Council Question: On the Temporary Eastbound Tasman Lane Closure Average Daily Traffic Graph 010523, the 2015 Pre-Covid Average Daily Traffic is 7,853 and in 2022 the Average Daily Traffic is between about 4,018 (minimum) to 4,590 (maximum). Could this reduction in the Average Daily Traffic indicate that people are walking more, biking more, working at home more, and driving their cars less?

Staff Response: Yes, all of the four possibilities that are mentioned are feasible reasons for why traffic volumes are lower currently. Staff would also offer that technology companies have also not returned all employees to full-time in-person work at office buildings, some companies are still allowing fully remote work from home, alternate commute schedules/travel demand management, combined with recent layoffs, can help account for lower traffic volumes also. We are unable to predict what happens in the future as related to work from home policies for private companies but there has been discussion and indications that corporate management does desire a full return to in-person work in office buildings eventually. Currently, transportation usage numbers from the Valley Transportation Authority and Caltrain are showing that they are still below 50% of pre-pandemic ridership numbers systemwide. Traffic volumes are slowly increasing as our data shows but we expect larger increases as more companies phase in return to office policies.

Agenda Item #: 5

Title: Introduce an Ordinance to Amend Chapter 19.36 of Title 19 of the Sunnyvale Municipal Code to Modify Table 19.36.060B Permitted, Conditionally Permitted, and Prohibited Uses in El Camino Real Specific Plan (ECRSP) Zoning Districts to Conditionally Permit Auto Sales or Rental in ECR-MU Zoning Districts and Find That this Action is Within the Scope of the Program EIR for the El Camino Real Specific Plan Pursuant to CEQA Guidelines Section 15168 (*Planning File #2022-7790*)

Council Question: How does the amended policy for automobile sales and residential development to exist on the same site ensure that a redeveloped site which was previously focused on auto sales does not become primarily housing? As indicted in Policy LT-12.9 "... the importance of tax

generation (retail, hotel, auto, and business-to business uses) to support the fiscal health of the community and to fund municipal services,” the auto sales are important to retain.

Staff Response: Under the regulations as currently adopted, auto sales on a mixed-use site would not be an option; the revised regulations will now allow us to consider auto sales. We have a pending application for mixed use that includes auto sales for the ground-floor retail. Most of the other existing automobile sales sites are zoned commercial which reduces the risk of loss of the site for auto sales. There is nothing in the regulations (existing or proposed) that requires auto sales uses to be retained.